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Date: May 25, 2006

To:	Fax No.	Phone No.
Anthony Smith United States Patent & Trademark Office	1-571-273-0459	

From:	Phone No.	E-Mail Address:
Yvette L. Chriscaden	206-689-1200	ychriscaden@schwabe.com
14		

#### Message:

Please see the attached Petition Under 37 CFR 1.81 in response to the Notification of Missing Requirements Under 35 U.S.C. 371. Kindly confirm safe receipt by return email or facsimile. Thank you.

File Number:	109909-146503				
No. of Pages, Inclu	iding Cover:	14	1	Transmittal Time:	2 m /n m
Via Fax Only:		X		Also Via:	a.m. / p.m.

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Attorney Docket No. 109909-146503

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Salman et al.

Application No.: 10/563,772

International Filing Date: July 9, 2004

Confirmation No.: 3231

For: SHARED INPUT KEY METHOD

AND APPARATUS

Examiner: Campbell, Barbara A.

Group Art Unit: 2629

Customer No.: 25943

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria,

VA 22313-1450 on this date: May 25, 2006

Typed or Printed: Yvette L. Chriscade

Signature:

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

## PETITION UNDER 37 CFR 1.181

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office ("Notice"), a true copy of which is attached for ease of reference, Applicants submit this Petition under 37 CFR 1.181. The Notice states that the name of one of the inventors, G. Eric Engstrom, is listed as G. Eric Engstrom on the Declaration and as Eric G. Engstrom on the International Application. The Notice requests clarification.

The International Application as published by the International Bureau does reflect the inventor's name as Eric G. Engstrom, however the PCT Request submitted with the International Application correctly reflects the inventor's name as G. Eric Engstrom on Sheet No. 2 of the Request and on Sheet No. 5 of the Request (which Sheet No. 5 constitutes part of the Declaration of Inventorship). A true copy of the Request is attached for ease of reference. The International Application was published with a typographical error generated by the International Bureau.

IPG No. P058

SEA/109909/146503/YLC/357374.1

It is intended that the National Stage Application should be prosecuted with the correct spelling of the inventor's name, with the initial "G." preceeding the name "Eric", and the Examiner is respectfully requested to so note this intention in the record.

Applicants have notified the International Bureau of the typographical error in the published Application and have requested republication as is demonstrated by the attached copy of a communication to the International Bureau dated May 25, 2006.

It is believed that, notwithstanding the surcharge called for in the Notice, no fees are currently due in association with this Petition. Should that belief be incorrect, the Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Accordingly, Applicants respectfully request timely examination of the present application.

Respectfully submitted, SCHWABE, WILLIAMSON & WYATT, P.C.

Date: May 25, 2006

Al AuYeung

Schwabe, Williamson & Wyatt, P.C. Pacwest Center, Suites 1600-1900 1211 SW Fifth Avenue

Portland, Oregon 97222 Telephone: 503-222-9981 Kyle H. Flindt Reg. No. 42,539

(i) desert



## United States Patent and Trademark Office

alafyho. United States Department of Commerce United States Patent and Trademark Office United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS FO. Box 1459 Alexadric, Vignic 22313-1450 www.uspto.gov

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/563,772 Majeed D Salman 109909-146503

INTERNATIONAL APPLICATION NO.

PCT/US04/22150

I.A. FILING DATE PRIORITY DATE 07/09/2004 07/09/2003

**CONFIRMATION NO. 3231** 

371 FORMALITIES LETTER 

\*OC000000018619095\*

25943 SCHWABE, WILLIAMSON & WYATT, P.C. PACWEST CENTER, SUITE 1900 1211 SW FIFTH AVENUE PORTLAND, OR 97204

Date Mailed: 04/27/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/04/2006
- Copy of the International Search Report filed on 01/04/2006
- Copy of IPE Report filed on 01/04/2006
- Oath or Declaration filed on 01/04/2006
- U.S. Basic National Fees filed on 01/04/2006
- Priority Documents filed on 01/04/2006
- Specification filed on 01/04/2006
- Claims filed on 01/04/2006
- Abstracts filed on 01/04/2006
- Drawings filed on 01/04/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Inventors name listed as G. Eric Engstrom on Declaration and as Eric G Engstrom on International
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Schwabe, Williamson & Wyatt

Page 2 of 2

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

\$130 Surcharge,

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

## BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO. 10/563,772	INTERNATIONAL APPLICATION NO. PCT/US04/22150	ATTY, DOCKET NO. 109909-146503

FORM PCT/DO/EO/905 (371 Formalities Notice)

## REQUEST

$\vdash \mathcal{K}_{\sigma_{i}}$	
For receiving Office use only	
International Application No.	
International Filing Date	
Name of receiving Office and "PCT International Application"	
Applicant's or event's file - C	Ξ

	THE THINK	Date	
The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.			nternational Application"
	Applicant's or agent (if desired) (12 chara	s file reference	109909-138061
BOX No. 1 TITLE OF INVENTION		dia s maximum)	109909-138061
SHARED INPUT KEY METHOD AND APPARA	TUS		
Box No. II APPLICANT This person	is also inventor		
Name and address: (Family name followed by given name: for a legal entity	N 6dlaffield description	Telephone No	).
WILDSEED LTD.	ce is indicated below.)	Facsimile No.	
10210 NE Points Drive, Suite 300		racsimile No.	
Kirkland, Washington 98033		Teleprinter No	).
03			
San (i)		Applicant's reg	gistration No. with the Office
State (that is, country) of nationality:	State (that is, country,	of residence:	
This person is applicant all designated all designated for the purposes of:	US		
the United States	tes of America	the United States of America only	the States indicated in the Supplemental Box
	ER) INVENTOR(S)		- CON
Name and address: (Family name followed by given name; for a legal entity The address must include postal code and name of country. The country of the Box is the applicant's State (that is, country) of residence if no State of residence SALMAN, Maicad	full official designation. address indicated to this	This person is:	
	ls indicated below.)	applica	nt only
16143 NE 90th Way		10.00	nt and inventor
Redmond, Washington 98052 US		invento	Corty (Cebia at . L.
		marked,	, do not fill in below.)
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# 100 PC(SOB IS ADDITION)	US		
States the United States	of America	he United States  f America only	the States indicated in the Supplemental Box
and of (turner) inventors are indicated on a	continuation sheet.		
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Schwabe, Williamson & Wyatt, P.C.		503 222 99: acsimile No.	81
devices Center, Stes. 1600-1000		503 796 290	00
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Portland, Oregon 97204-3795 US	Ļ		
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Address for correspondence: Mark this check-box where no as space above is used instead to indicate a special address to which	ent or common repres	cotative is/has he	ED speciated and d
rm PCT/RO/101 (first sheet) (January 2004)	correspondence shou	ld be sent.	appointed and the
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Sheet No. 2 Continuation of Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S) If none of the following sub-boxes is used, this sheet should not be included in the request. Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) This person is: ENGSTROM, G. Eric applicant only 12415 Holmes Pt. Dr. NE applicant and inventor Kirkland, Washington 98033 inventor only (If this check-box is marked, do not fill in below.) US Applicant's registration No. with the Office State (that is, country) of nationality: State (that is, country) of residence: US This person is applicant for the purposes of: all designated States all designated States except the United States of America the United States of America only X the States indicated in the Supplemental Box Name and address: (Family name followed by given name; for a legal entity, full official designation. The address onust include postal code and name of country. The country of the address indicated in this Bax is the applicant's State (that is, country) of residence if no State of residence is indicated below.) This person is: ZATLOUKAL, Peter applicant only 218 Main Street #480 applicant and inventor Kirkland, Washington 98033 inventor only (If this check-box is marked, do not fill in below.) US Applicant's registration No. with the Office State (that is, country) of nationality: US State (that is, country) of residence: US This person is applicant for the purposes of: all designated all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) This person is: applicant only applicant and inventor inventor only (If this check-box is marked, do not fill in below.) Applicant's registration No. with the Office State (that is, country) of nationality: State (that is, country) of residence: This person is applicant for the purposes of: all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) This person is: applicant only applicant and inventor inventor only (If this check box is marked, do not fill in below.) Applicant's registration No. with the Office State (that is, country) of nationality: State (that is, country) of residence: This person is applicant for the purposes of: all designated States all designated States except the United States of America the United States of America only the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on another continuation sheet.

Form PCT/RO/101 (continuation sheet) (January 2004)

See Notes to the request form

Sheet No. . . 3

Supplemental Box

If the Supplemental Box is not used, this sheet should not be included in the request.

- I, in any of the Boxes, except Boxes Nos. VIII(i) to (v) for which a special continuation box is provided, the space is insufficient to furnish all the information: in such case, write "Continuation of Box No..." (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:
- (i) if more than two persons are to be indicated as applicants and/or inventors and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below:
- (il) if, in Box No. II or in any of the sub-boxes of Box No. III, the indication "the States indicated in the Supplemental Box" is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant:
- (iii) if, in Box No. II or in any of the sub-baxes of Box No. III, the inventor or the inventorapplicant is not inventor for the purposes of all designated States or for the purposes of the United States of America: in such case, write "Continuation of Box No. II" or "Continuation of Box No. II" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;
- (lv) if, in addition to the agent(s) indicated in Box No. IV, there are further agents: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;
- (v) If, in Box No. VI, there are more than three earlier applications whose priority is claimed: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.
- If the applicant intends to make an indication of the wish that the international application be treated, in certain designated States, as an application for a patent of addition, certificate of addition, inventor's certificate of addition or utility certificate of addition. in such a case, write the name or two-letter code of each designated State concerned and the indication "patent of addition," "cartificate of addition," "inventor's certificate of addition," "cartificate of addition," inventor's certificate of addition," or "utility certificate of addition," the number of the parent application or parent patent or other parent grant and the date of grant of the parent application (Rules 4.11(a)(iii) and 49bis.1(a) or (b)).
- 3. If the applicant intends to make an indication of the wish that the international application be treated, in the United States of America, as a continuation or continuation-in-part of an earlier application: in such a case, write "United States of America" or "US" and the indication "continuation" or "continuation-in-part" and the number and the filing date of the parent application (Rules 4.11(a)(iv) and 49bis.1(d)).

Continuation of Box No. IV:
AUYEUNG, Aloysius T.C., Reg. No. 35,432
HARRINGTON, Robert, Reg. No. 20,994
KLINDTWORTH, Jason K., Reg. No. 47,211
LEWIS, Christopher, Reg. No. 51,246
MAKI, Nathan R., Reg. No. 51,110
PHILIPP, Adam L.K., Reg. No. 42,071
WATT, Robert T., Reg. No. 45,890
(All are located at the same address, telephone number and facsimile number as indicated in Box No. IV.)

1 100

		Sheet No		
	ATIONS			
The filing of this request filing date, for the grant of However,	constitutes under Rule 4.9(a), of every kind of protection available.	the designation of all Corlable and, where applicable	atracting States bound by e, for the grant of both re	the PCT on the internation egional and national patent
DE Germany is no	t designated for any kind of na	tional protection		
KR Republic of Ko	orea is not designated for any l	cind of national protection		
RU Russian Federa	ntion is not designated for any	kind of national protection	1	
(The check-boxes above no the national law of an em	nay be used to exclude (irrevoca rlier national application from ons in these and certain other s	bly) the designations conce		e ceasing of the effect, unde V as to the consequences o
Box No. VI PRIORIT	TY CLAIM			
The priority of the following	ing earlier application(s) is here	by claimed:		
Filing date	Number		Whose soli	
of earlier application (day/month/year)	of carlier application	national application: country or Member of WTO	Where earlier application regional application:* regional Office	international application
itcm (1) 09 July 2003 (09.07.03)	60/486,553	US	- Topiculai Office	receiving Office
item (2)				
item (3)				
Further priority claims	s are indicated in the Suppleme	ntal Box.		7
The receiving Office is required the earlier application was above as:	nested to prepare and transmit to filed with the Office which for th	o the International Bureau	a certified copy of the ear	lier application(s) (only if
all items 🔀 i	tem (1) item (2)			
Where the earlier applicate Industrial Property or one M	tion is an ARIPO application, in Acmber of the World Trade Org	dicate at least one country	other, se	e Supplemental Box
			ırller application was file	ed (Rule 4.10(b)(ii)):
Box No. VII INTERNA	TIONAL SEARCHING AUT	HORITY		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
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seck-boxes below and indica	are contained in Boxes Nos. V tie in the right column the numb	III (i) to (v) (mark the apple er of each type of declaration	licable	Number of
] POX 140' ATT (3)	Declaration as to the identity	of the inventor	ony.	declarations
Box No. VIII (ii)	Declaration as to the applicand date, to apply for and be grand	at's entitlement of all the	nternational filing	•
Box No. VIII (iii)	Declaration as to the applica date, to claim the priority of	nt's entitlement as as as	international filing	:
Box No. VIII (iv)	Declaration of inventorship (d United States of America)	only for the purposes of the	e designation of the	:
Box No. VIII (v)	Declaration as to non-prejudic			: 3
PCT/ROUNT (Annual )		- CACEPITO	THE TO ISCK Of novelty	:

FAUE 9/0

Sheet No. . .5....

Box No. VIII (iv) DECLARATION: INVENTORSHIF (only for the purposes of the designation of the United States of America)
The decidentation must conform to the following standardized wording provided for in Section 214; see Notos to Boxes Nos. VIII, VIII (I) to (v)
(in general) and the specific Noses to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

to the request.
Decinration of inventorship (Rules 4.17(iv) and 518inl(a)(iv)) for the purposes of the designation of the United States of America:
I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.
I has designation is directed to the international application of which it forms a new differ-
This declaration is directed to international application No. PCT/
I hereby declare that my residence, mailing ankless, and citizenship are as stated real to my name.
of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority and I have identified below, under the heading "Prior Applications," by application number, country or Mamber of the World Trad Organization, day, month and year of filing, say application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at lines one country other than the United States of America and the before that of the application on which find in a state of the application of the same and the states of America.
Prior Applications:
I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the continuation-in-part application.  I hereby declaration and the PCT international filing date of the continuation-in-part application.
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by line or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any putent issued thereon.
Asian Maland D. Salman
Residence: Redmond, Washington (city and cither US state, if applicable, or country)
Mailing Address: , 16143.NE 90th Way, Redmond, WA. 98052.
Citizenship: US  Inveneur's Signature:  (if not contained in the request, or if declaration is convected or added under Rule There after the Illing of the international application. The signature must be that of the inventor, not that of filing of the international application)  Date:  7 7 2004  (of signature which is not convained in the request, or of the declaration that is corrected or added under Rule 26 for after the filing of the international application)
Name: G. Enc Engstrom
Residence: Kirkiand, Washington suly and either US state, if applicable, or country)
Nailiag Address: ,12415 Holmes Pt. Dr. NE. Kirkland, WA 98033
Sitizenship: US
f not contained in the request, or if declaration is corrected or ided under Rule 26ter after the filing of the international phication. The signature must be that of the inventor, not that of eagent)  Date: 77 7 200 4 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)
This declaration is continued on the following sheet. "Continuation of Box No. VIII (iv)".

Sheet No. .. 6 ...

Continuation of Box No. VIII (i) to (v) DECLARATION

One makes it uses flicture in any of Bons Nas. VIII (i) to (y) to furgish all the information, including in the case where more than two inventors are to be handed in Bas Na. VIII (iv), in such case, write "Continuation of Box No. VIII ..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Rox in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation too must be used for each such declaration. If this Box is not used, this should not be included in the request.

Continuation of Box VIII (iv)

Name: Peter Zatloukal

Residence: Kirkland, Washington

Mailing Address: 218 Main Street #480, Kirkland, WA 98033

Citizenship: US

Inventor's Signature

\_ Date: 7/4/00L

Form PCT/RO/101 (continuation sheet for declaration) (January 2004)

Sea Notes to the request form

i j<sub>e</sub>s

	_	Sheet No	
me t .		ge of filing	
This international application of (a) in paper form, the following sheets:	ontains:	This international application is accompanied by the following item(s) (mark the applicable check home below to following	Numb
request (including	& managed OI	right column the number of each item).	of ites
d∞laration sheets)	:	1. X fee calculation sheet 7 2.  original seconds	;
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tables related thereto)	: 10	3.  original general power of attorney	•
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abstract	;		:
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Sub-total number of sheets	: 34		
sequence listing tables related thereto	:	7. Translation of international application into (language):	:
(for both, actual number of sheets if filed in page 6	•	8. separate indications concerning deposited microorganism or other biological material	:
computer readable forms		SCOUGNCE lighting in commutation and	;
see (c) below)			
Total number of sheets :	34	(i) copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application)  (ii) (only where check-box (h)(i) or (c)(s) is not at the international application)	:
(b) only in computer readable (Section 801(a)(i))	le for <u>m</u>	additional copies including, where applicable, the copy for the	
(i) sequence listing (ii) tables related thereto		(iii) together with relevant statement as to the identity of the copy or copies with the sequence listing mentioned in left column	:
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		additional copies including, where applicable, the copy for the	
sequence listing:  tables related thereto:	• • • • • • • • • • • •	(iii) I together with relevant state—and under Section 802(b-quater)	
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est to each signature, indicate the name of	LEPLICANT	AGENT OR COMMON REPRESENTATIVE	
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Aloysius AuYeung  Date of scholars in the	orted	- For receiving Office use only	
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AL AUYEUNG

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May 25, 2006

## VIA E-MAIL PCT.INFOLINE@WIPO.INT AND FIRST CLASS MAIL

The International Bureau of WIPO 34, chemin des Columbettes 1211 Geneva 20, Switzerland

Re:

International Application No. PCT/US2004/022150

Title: SHARED INPUT KEY METHOD AND APPARATUS

International Filing Date: 9 July 2004

Applicant: Wildseed Ltd. et al. Our File No.: 109909/138061

Dear Sirs:

It has been brought to our attention by the United States Patent & Trademark Office that there is an inconsistency in the above-referenced matter's published application that has, until now, been previously unnoticed but requires correction.

The second inventor is listed in the published application as Eric G. Engstrom, however the PCT Request (Sheet No. 2 and Sheet No. 5) as well as the PCT Power of Attorney submitted therewith reflect the inventor's name as G. Eric Engstrom. Copies of the PCT Request as well as the PCT Power of Attorney are attached for ease of reference.

In light of the fact that the mis-publication of the inventor's name came about as the result of a typographical error at the International Bureau and in consideration of the potential for confusion in subsequent national stage applications, we respectfully request that the typographical error be remedied and the application re-published.

The International Bureau of WIPO May 25, 2006 Page 2

Thank you for your kind attention to this matter. We look forward to receiving the republished application at your earliest convenience.

Very truly yours,

SCHWABE, WILLIAMSON & WYATT, P.C.

Al AuYeung

ATA:

Attachments

cc: United States Patent & Trademark Office

#### CERTIFICATE OF TRANSMISSION/MAILING

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